

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

TRANS-SPEC TRUCK SERVICE, INC.)	
d/b/a TRUCK SERVICE,)	
)	
Plaintiff)	
vs.)	CIVIL ACTION NO. 04-11836-RCL
)	
CATERPILLAR INC.)	
)	
Defendant)	

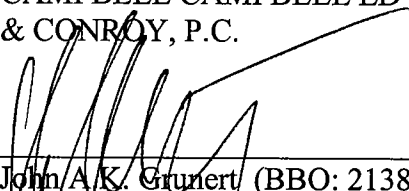
CATERPILLAR INC.'S MOTION FOR SANCTIONS, AND CERTIFICATE
OF CONFERENCE

The defendant Caterpillar Inc. ("Caterpillar") moves pursuant to Fed. R. Civ. P. 30(g) for an order, in the form attached hereto, awarding against the plaintiff Trans-Spec Truck Service Inc. ("Trans-Spec") and its attorneys Donovan Hatem LLP, jointly and severally, the attorneys' fees and travel expenses incurred by Caterpillar in connection with the depositions of its expert witnesses Richard Bowes, Matthew Kiser, Nathan Bjerk, and William Angus, which Trans-Spec noticed for February 13, 14, 15 and 16 but at which Trans-Spec's attorneys did not appear. As detailed in the accompanying memorandum and the affidavits of John Grunert and Christopher Parkerson attached to it, recoverable attorney's fees and travel expenses amount to \$14,119.85.

CATERPILLAR INC.,

By its attorneys,

CAMPBELL CAMPBELL EDWARDS
& CONROY, P.C.



John A.K. Grunert (BBO: 213820)
One Constitution Plaza
Boston, MA 02129
(617) 241-3000

CERTIFICATE OF CONFERENCE

I, John A.K. Grunert, hereby certify pursuant to Local Rule 7.1 and 37.1 that at approximately 4:25 PM on February 17, 2006, I conferred by telephone with Nancy Reimer, counsel of record for Trans-Spec, in a good faith attempt to resolve or narrow the issues presented in this motion but was unsuccessful in my attempt.



John A.K. Grunert

CERTIFICATE OF SERVICE

I, John A.K. Grunert, hereby certify that on February 17, 2006, I served the within motion by causing it to be transmitted electronically and by first class mail, postage prepaid, to Nancy Reimer, Esquire, Donovan Hatem LLP, Two Seaport Lane, Boston, MA 02210.



John A.K. Grunert

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

TRANS-SPEC TRUCK SERVICE, INC.
d/b/a TRUCK SERVICE,

Plaintiff

vs.

CATERPILLAR INC.

Defendant

CIVIL ACTION NO. 04-11836-RCL

ORDER FOR SANCTIONS

Upon motion of the defendant Caterpillar Inc., it is hereby ORDERED that the plaintiff Trans-Spec Truck Service Inc. and the law firm of Donovan Hatem LLP shall be jointly and severally liable to pay to the firm of Campbell Campbell Edwards & Conroy, P.C., as attorneys for Caterpillar Inc., the amount of \$14,119.85 as a sanction pursuant to Fed. R. Civ. P. 30(g). Payment in that amount shall be made to Campbell Campbell Edwards & Conroy, P.C., as attorneys for Caterpillar Inc., within ten (10) days after the date of this order.

BY THE COURT,

DATED: